

PART VI.

COLLECTION AND LIQUIDATION OF THE ESTATE

Rule 6004-1

SALE OF ESTATE PROPERTY

As to all sales by a trustee in a Chapter 7 case other than a sale free and clear of liens under 11 U.S.C. § 363(f), the trustee may sell property of the estate under 11 U.S.C. § 363(b) without order of the Court provided that the trustee complies with the following requirements:

(a) The trustee shall file a report and notice of intention to sell property of the estate without further notice of hearing stating that, if no objection or request for hearing is filed and served within twenty (20) days of the date of the report and notice, the specified property will be sold without further hearing or notice.

(b) The report and notice shall be served on all creditors in compliance with Fed. R. Bankr. P. 2002 and Local Rule 2002-1 with proof of service filed in accordance with the provisions of Local Rule 7005-1.

(c) If no objection or request for hearing is filed and served within twenty (20) days from the date of the report and notice, then the trustee may sell the property without further notice or hearing.

Notes of Advisory Committee

2004 Amendment

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation. Further, this amendment, 6004-1(b), adds a provision permitting Filing Users the ability to complete service of pleadings by electronic means.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

This rule was formerly Local Rule 2.21. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.